

The Chair, Lloyd Sullivan at 7:00pm called the regularly scheduled Selectmen's meeting to order. Those present included Jack Steiner and Jenifer Landman (Selectmen), and Russell McAllister (Town Administrator).

CDBG Public Hearing - 7:00pm

Mr. Sullivan announced that the public hearing regarding the CDBG grant application was now open. Mr. Sullivan explained that CDBG funds are available to municipalities for economic development, public safety, and housing rehabilitation projects that primarily benefit low to moderate-income individuals. North Hampton is eligible for up to \$350,000 a year for economic development projects. The current request for funds was for an economic development project. The purpose of the grant application was to fund a project to replace a 75-year-old oil storage and distribution facility operated by the Lamprey Brothers. The project entailed increasing storage capacity from 84,000 gallons to 193,000 gallons. More importantly the project also included the construction of a new concrete containment system that replaces the older earthen berm type of containment now in place. The proposed concrete containment system will meet current DES regulations.

Of the requested \$180,000 CDBG funds, \$160,000 will be in the form of a loan subrogated through either, or both the SBAC/REDC (economic development corporations). The remaining amount of \$20,000 will be used to provide \$15,000 for municipal administrative costs and \$5,000 for SBAC/REDC servicing costs.

The economic development project will create 9 new positions with a minimum of 6 designated for low to moderate-income persons.

The project cost is \$520,000. The sources of the funds include \$180,000 CDBG, \$265,000 bank loan, and \$75,000 in equity.

This project conforms to North Hampton's Housing and Community Development Plan's goal of promoting smaller, light, non-polluting industries that provide year round employment.

Mr. Sullivan next solicited comments from the public. Mr. Don Lamprey explained the nature of the project and displayed a model of the proposed facility. Several people commented that the construction of a concrete containment system would avoid potential environmental contamination due to an accidental spill. One member of the audience asked what strings were attached to the funding. It was explained that if Lamprey Bros, failed to repay the loan the Town would be required to make good faith efforts to recover payment, but in no way would be responsible for repayment. Mr. Arena asked if the jobs created would only be around during the construction phase of the project, or if they would be permanent jobs. Mr. Lamprey answered that they would be permanent jobs for drivers, service technicians and office help.

There being no further comments Mr. Sullivan closed that portion of the public hearing. Mr. Sullivan next opened the public hearing on the Housing and Community Development Plan. Ms. Donna Lane read through the Housing and Community Development Plan. She noted that the Town had previously adopted the plan. The TA had updated the plan for the current application. It was noted that nothing was added, but that those elements of the plan, which had been accomplished, were taken out. Mr. Sullivan asked for public comment. There being none the public hearing was closed.

Mr. Sullivan next opened the public hearing for the Residential Anti-displacement and Relocation Assistance Plan. It was explained that although this project did not involve any displacement or relocation of persons, if the town were to undertake a project, which involved the displacement or relocation, the town would follow this plan. The plan itself outlines measures the town would take to find comparable, suitable

housing for persons displaced or relocated. Mr. Sullivan invited public comment. Several people voiced concern that adoption of the plan might compromise currently adopted ordinances in town, or compel the town to adopt new housing ordinances promulgated by HUD, or the New Hampshire Housing Finance Authority. Ms. Lane explained that the plan did not compel the town to adopt new ordinances promulgated by HUD or the NHHFA. The Town was certifying that it presently had no ordinances that prevented the building of low to moderate-income housing. It was pointed out that adoption of ordinances that precluded the construction of low to moderate-income housing was unlawful. Ms. Wilson noted that the town had to comply with the New Hampshire Housing Finance Authority regulations. Ms. Wilson suggested that an attorney who is familiar with land use issues review the application to insure that the Town's zoning ordinances are in compliance with the housing finance initiative. There being no further comments the public hearing was closed.

Mr. Sullivan reopened the Board of Selectmen's meeting. Mr. Steiner made the motion to adopt the Housing and Community Development Plan. Ms. Landman seconded the motion. The vote was unanimous and so moved. Mr. Steiner next made the motion to adopt the Anti-Displacement and Residential Relocation Plan. Ms. Landman seconded the motion. The vote was unanimous and so moved. Finally, Mr. Steiner made the motion to submit the CDBG application and to have an attorney review the grant application, the Housing and Community Development Plan, and the Anti-Displacement and Residential Relocation Plan. Ms. Landman seconded the motion. The vote was unanimous and so moved.

Questions & Comments

The Chair opened the meeting by making several statements. Mr. Sullivan noted that during the last several months the Board of Selectmen has been receiving more and more correspondence concerning individual actions of and alleged ethics violations by as well as numerous complaints from members of the planning board. It was explained that town counsel advised that the Board of Selectmen have no jurisdiction or authority to become involved in planning board activities. The Board of Selectmen recommends that the planning board retain legal advice of their choice to meet with them to formulate rules and procedures that govern the permitted activities of members of the planning board. The Board of Selectmen noted that there exists a Town-wide code of ethics, which the members of all the town boards should read and become familiar with. The code of ethics is enforceable by the Board of Selectmen if it becomes necessary. Mr. Wilson asked if the Board was going to act on the correspondence they had received regarding violations of the code ethics? Mr. Sullivan reiterated the need for planning board members to consult with counsel to establish rules and procedures governing their actions.

Mr. Steiner made the statement that due to personal issues he was briefly living out of town.

Mr. Sullivan next made a statement concerning the reimbursement of Ms. Landman's legal fees. Mr. Sullivan noted that the Board had met with Town Counsel to discuss the reimbursement issue. Mr. Sullivan noted that it was the opinion of Town Counsel that legal fees incurred by Ms. Landman were legally incurred and justified. Mr. Sullivan noted that it was the decision of the Board to reimburse Ms. Landman for legal fees. Mr. Sullivan requested that all the differing parties accept the vote as legal and binding and to help put this debate to an end. The Chair invited comments from the public.

Mr. Joe Arena asked about the status of the telecommunications tower. The TA replied that he had received a call from ATC regarding an agreement that was in the process of being finalized concerning access to the property.

Ms. Landman noted that Harlan Carter had passed on. He was a life long volunteer and had served on many of the town boards throughout his life and his presence would be sorely missed.

Selectmen Issues

Reimbursement of Legal Costs

Mr. Sullivan noted that it was a difficult decision for him to make as he was opposed to the reimbursement issue. However, it was his opinion that after deliberations with town counsel, Ms. Landman should be reimbursed for her legal expenses. Mr. Sullivan noted that it was time for people to put the issue behind them and begin working together. Mr. Steiner made the motion to reimburse Ms. Landman's legal costs in the amount of \$6,879.60. Ms. Landman recused herself from participating in the vote on the motion under consideration. Mr. Sullivan seconded the motion. The vote was two for reimbursement of legal costs (Steiner & Sullivan) and one recusal (Landman). The motion so moved. Mr. Sullivan noted that the future practice of the Board when dealing with issues where legal opinions were involved would be to have the TA draft written requests approved and agreed upon by the Board prior to submission to Town Counsel. Such a procedure would help insure that the Board was receiving the answer to the question it had asked. Mr. Sullivan also asked that other Board Chairs run their requests to consult with the town attorney through the TA so that the TA could track legal costs.

Birch Road - No Thru Trucks signage

The Board reviewed a petition signed by the residents on Birch Road requesting that the Selectmen designate the road "*No Thru Trucks*". Mr. Bob Strout (Road Agent) noted that Birch Road was already so designated. A brief discussion ensued regarding the level of traffic on the road and the issue of excessive speed. The Board asked Mr. Strout to double-check on the "*No Thru Trucks*" located on Birch Road.

Discussion of the Purchase of a Public Address System

The TA reported that he and Garret Lear had researched the costs of the public address system that will be used by the planning and zoning board meetings held in Town Hall. The cost was between \$2,000 to \$2,200. Ms. Landman made the motion to approve the purchase of the PA system in the amount of \$2,000. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

Discussion of North Hampton Forever

Bond Anticipation Note Issuance / Bond Counsel

The TA solicited the Board's approval to begin drafting language for a bid proposal for both the bond anticipation notes and bond counsel associated with the *North Hampton Forever* bond issue approved by voters at the March meeting. The Board directed the TA to move ahead with developing the bid proposal.

Architectural Selection Committee / Status of RFP

The TA briefed the Board on the status of the architectural services and space planning for the municipal complex RFP that had been issued.[†] Two architectural firms, David Mires (Manchester) and ARCCAD (West Newton, MA) had responded. Each had traveled to the town to look over the municipal complex prior to submitting their bid. The due date for their response was June 30th. The TA recommended that a review committee be created to review the proposal and conduct subsequent interviews. The Board agreed and Mr. Steiner volunteered to represent the Board.

Server and Printer purchase for new assessing system

The TA briefed the Board on the status of the data conversion work now being performed by Vision Appraisal, noting that the Town would need to purchase a new server and printer for the new system. The cost for both the server and the printer was approximately \$7,000. The TA asked for the Board to approve the purchase. Mr. Steiner made the motion to purchase the server and printer in the amount of \$7,000. Ms. Landman seconded the motion. The vote was unanimous and so moved.

[†] Warrant Article XVIII approved by voters at the March Town meeting.

Board Appointments

The Board next addressed the issue of vacancies on the Conservation Commission. Mr. Steiner made the motion to appoint the following:

Stanley Knowles	Conservation Commission (member)
Patricia O'Connor	Conservation Commission (member)
George Lagassa	<i>North Hampton Forever</i> (member)
Phil Wilson	<i>North Hampton Forever</i> (co-chair)
Tim Harned	<i>North Hampton Forever</i> (co-chair)
Howard Smith	Heritage Commission (chair)
Barbara Hobby	Heritage Commission (alternate member)
Anna Pike	Heritage Commission (alternate member)

Ms. Landman seconded the motion. The vote was unanimous and so moved.

Administration/Business

Mr. Steiner made the motion to accept the regular minutes of May 14th, 2001. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

- a. Minutes - May 21st, 2001
- b. Payroll
- c. Manifest
- d. CDBG Manifest
- e. Veterans Tax Credit - James Leddy / Joan Tweed
- f. Elderly Exemption - James & Elaine Leddy
- g. Mason & Rich Audit Contract
- h. Bandstand Appointments - Tamera Saal / Anita Conant
- i. Heritage Commission Appointments
- j. DOT - Driveway Permit (Carol Rule, 31 Post) (GorrillPalmer, FOC)
- k. Executive Council Newsletter
- l. NRC Meeting - June 14th Hampton Town Hall
- m. AT&T Pricing Changes
- n. Encumber the remaining funds for underground tanks (\$6,585) #4902-10-743
- o. Encumber the remaining funds for floor drain holding tank (\$5,000) #4902-10-744
- p. Encumber the remaining funds for phone system (\$4,078) #4902-10-740
- q. Encumber the remaining funds for phone system (\$1,400) #4902-10-745

Mr. Steiner made the motion to encumber the above funds. Ms. Landman seconded the motion. The vote was unanimous and so moved.

The TA reminded the Board that the assessor had completed work on the abatement applications and that the applications were now ready for review by the Board.

Selectmen's Minutes
11 June 2001
7:00pm

Adjournment

There being no further business to come before the Board the public meeting adjourned at approximately 9:00pm. Mr. Sullivan made the motion to convene in Non-Public Session under RSA 91-A:3 II (a) to discuss personnel issues. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

Respectfully,

Russell McAllister
Town Administrator